IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

Crl.Rev.Pet.No. 3900 of 2006

CRA.202/2005 of ADDL. DISTRICT AND SESSIONS JUDGE (ADHOC-II), THODUPUZHA
CC.875/2004 of JUDL. MAGI. OF FIRST CLASS-I (FOREST OFFENCES), THODUPUZHA

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REVN. PETITIONER: APPELLANT/ACCUSED

MUJEEB, S/O.REHMAN,
ANCHAPPARAYIL VEETTIL, KOLANI KARA,
KARIMKUNNAM VILLAGE, THODUPUZHA.

BY ADV. SRI.JOSE JOSEPH ARAYAKUNNEL
SRI.VARGHESE PARAMBIL
SRI.ALBERT JOSEPH

RESPONDENT:

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR (SRI. C.M. KAMMAPPU)

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. HEMA, J.
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Crl.R.P. No.3900 of 2006
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Dated this 13th day of December, 2006.

ORDER

The revision petitioner is accused in C.C.No.875 of 2004 on the file of Judicial First Class Magistrate Court-I, Thodupuzha. He was convicted and sentenced for offence under section 324 of IPC. The said conviction and sentence were challenged in Crl.Appeal No.202 of 2006. Learned Addl. Sessions Judge confirmed the conviction and sentence. The accused was convicted and sentenced to undergo simple imprisonment for a period of six months and to pay a fine of Rs.1000/- and in default of payment of fine to undergo simple imprisonment for a period of one month. The said conviction and sentence are challenged in this revision.

2. At the time of hearing of the revision, it is submitted by both sides that parties have settled the matter out of court and they have filed a petition as Crl.M.A.No.12654 of 2006 for compounding the offence under section 324 of IPC. On hearing both sides, I am satisfied that permission can be granted to compound the offence and an order is to be passed accordingly.

3. It is submitted by learned counsel for the petitioner that fine

has been deposited before the court below and a direction may be given to return the said amount to the petitioner. Hence, it is ordered that the fine, if any, deposited by revision petitioner shall be returned to him on application.

In the result, the revision petitioner is acquitted of offence under section 324 of IPC, as compounded. He is set at liberty forthwith.

Crl.M.A.No.12654/2006 and Revision Petition are allowed.

K. HEMA, JUDGE.

Krs.